

USPTO
FEB 09 2004
PATENT



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/635,736	08/06/2003	1723	834	2089/102 (MCA-517)	16	13	4

CONFIRMATION NO. 8844

Nixon Peabody LLP
Clinton Square
P.O. Box 31051
Rochester, NY 14603-1051

FILING RECEIPT



OC000000011174277

Date Mailed: 11/04/2003

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Willem Kools, Winchester, MA;

Domestic Priority data as claimed by applicant

This application is a CON of 10/275,210 11/01/2002

Foreign Applications

also
claims benefit of PCT serial no.
PCT/US01/16817, May 22, 2001
claims benefit of U.S. provisional serial no.
60/206,423, May 24, 2000

If Required, Foreign Filing License Granted: 11/03/2003

Projected Publication Date: 05/06/2004

Non-Publication Request: No

Early Publication Request: No

Title

Process of forming multilayered structures

Preliminary Class

210

ENTERED
Nixon Peabody LLP

NOV 10 2003

FILE 2089/102
DKT one

LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).



PATENT
Docket No.: 2089/102 (MCA 517)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Willem Kools)
Serial No. : 10/635,736)
Cnfrm. No. : 8844)
Filed : August 6, 2003)
For : PROCESS FOR FORMING)
MULTILAYERED STRUCTURES)

REQUEST FOR CORRECTED FILING RECEIPT

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450


Dear Sir:

Applicant hereby requests a corrected filing receipt for the above-identified application. On the enclosed copy of the official filing receipt, the claim for benefit of PCT Patent Application Serial No. PCT/US01/16811, filed May 22, 2001, and domestic priority claim of U.S. Provisional Application Serial No. 60/206,623, filed May 24, 2000, was omitted. A copy of the declaration and power of attorney as filed on August 6, 2003 is enclosed.

Since Applicant is not responsible for this error, no fee is enclosed.

Respectfully submitted,

Dated: November 10, 2003


Michael L. Goldman
Registration No. 30,727

Nixon Peabody LLP
Clinton Square, P.O. Box 31051
Rochester, New York 14603-1051
Telephone: (585) 263-1304
Facsimile: (585) 263-1600

Certificate of Mailing - 37 CFR 1.3(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:
Commissioner for Patents P.O. Box 1450
Alexandria, VA 22313-1450, on the date below.

Date 11/12/03 Patricia Kinsley 



PATENT
Docket No.: 2089/102 (MCA 517)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Willem Kools

Serial No. : 10/635,736

Cnfrm. No. : 8844

Filed : August 6, 2003

For : PROCESS FOR FORMING
MULTILAYERED STRUCTURES

)
) Examiner:
) To Be Assigned

)
) Art Unit:
) 1723

COMMUNICATION

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This is in response to the December 8, 2003, Response to Request for Corrected Filing Receipt ("Response to Request") in which the U.S. Patent and Trademark Office ("USPTO") refused to grant applicant's request on the grounds that the continuity claim to PCT/US01/16817 ("PCT Application"), filed May 22, 2001, was not supplied in the specification and that the present application could not claim priority benefit of U.S. Provisional Patent Application Serial No. 60/206,623 ("623 Provisional"), filed May 24, 2000, because the '623 Provisional was filed over a year prior to the filing date of the present application. The present application is a continuation of U.S. Patent Application Serial No. 10/275,210 ("210 Application"), which is a U.S. National Application of the PCT Application. The PCT Application claims benefit of the '623 Provisional. Since the PCT Application was filed within one year of the '623 Provisional, the former properly claims benefit of the latter.

Along with the application as filed on August 6, 2003, applicant submitted a Preliminary Amendment to amend the first page of the specification to incorporate the continuity claims of the '210 Application, which claims benefit of the PCT Application and the '623 Provisional. Since applicant has incorporated its claim to benefit in the specification, any allegation of a failure to do so is wrong and can form no basis for denial of the November 12, 2003, Request for Corrected Filing Receipt.

Attached are copies of the Response to Request for Corrected Filing Receipt, dated December 8, 2003, the Request for Corrected Filing Receipt, as filed on November 12, 2003, and the Preliminary Amendment, as filed on August 6, 2003.

Since applicant has done all that the Response to Request required him to do, it is respectfully requested that the official filing receipt be corrected to state the appropriate domestic priority data. In particular, the official filing receipt should read "This application is a CON of 10/275,210, which is 371 of PCT/US01/16817 05/22/2001 which claims benefit of 60/206,623 05/24/2000."

Respectfully submitted,

Dated: February 5, 2004



Michael L. Goldman
Registration No. 30,727

NIXON PEABODY LLP
Clinton Square, P.O. Box 31051
Rochester, New York 14603-1051
Telephone: (585) 263-1304
Facsimile: (585) 263-1600

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

- ☒ deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450
- ☐ transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) _____

February 5, 2004
Date


Signature

Janice Bowers
Type or Print Name